

From: Benjamin Chadwick
To: Microsoft ATR
Date: 1/24/02 12:28am
Subject: No to current Microsoft Settlement

To Whom It May Concern:

I would like to register dissent with the current proposed settlement with Microsoft. I work in artistic fields: magazine writing and design, fiction writing, and journalism, but have also extensive training in hardware repair and computer programming. Since most workers in the arts have little computer training, I think it is especially important to register just how frustrating Microsoft products have been in these areas. Working with Microsoft products is always a challenge: trying to force the computer to do what I want, and then praying it doesn't crash in the process. However, few projects are solo projects; most must be written in a format everyone uses, and Microsoft's anticompetitive practices have made positioned its software with such formats to an audience unaware of their other options. Given the choice, I'll happily take free software, open, public, accountable for its failures, and written to higher standards with a philosophy of public benefit.

It is important to me that the government not succumb to the wishes of Microsoft. The government is intended to serve the people as a whole. Allowing a corporation to dominate software, and crush its opposition through monopolistic market practices, hurts the public. It's quite simple and only differs from previous monopoly situations (and thus has fostered) through the relatively arcane nature of computers--just as a driver doesn't need to know chemistry to operate a car. Microsoft Word's tendency to crash during automatic backups (for example) has cost me pages and pages of my writing; while I have happily shifted to its rival Wordperfect, and to Linux as my OS, I can't say I've convinced many others to do so--even as they complain of Microsoft's irritations and crashes. Even if Linux had the same problems, the public would still benefit from the programmers' (on both teams) drive to alleviate them; monopoly allows problems to grow like weeds through pavement, without remedy. In this way, the Microsoft monopoly has effectively had quite a chilling effect on the arts, and I honestly feel the arts have suffered from it. Though the options exist, there has been no effort by government, and obviously little from the industry itself, to promote their use.

Specifically, I object to several aspects of the settlement:

- Failure to open the barriers of entry for rival applications like WINE, a system for executing Windows APIs under Linux
- Narrowly defining the scope of the provisions (for example, it fails to cover all Windows APIs).
- Failure to prohibit anticompetitive License Terms currently used by Microsoft
- Failure to prohibit intentional incompatibilities historically used by Microsoft (this was extremely irritating to those already disappointed by

MS-DOS in the early 1990s, when Windows 3.1 became the standard and required Microsoft's DOS over its competitors').

-Failure to prohibit anticompetitive practices towards OEMs

Taken in sum, I feel the proposed settlement will be insufficient to curtail Microsoft's stranglehold on the software business, the public, and the arts.

Sincerely,
Benjamin Chadwick
678 Old Hunt Way
Herndon, VA 20170